

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL NO. 1:06CV316
(1:04CR43-10)

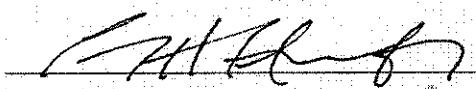
BILLY EUGENE PROFFITT, JR.,)
Petitioner,)
Vs.) ORDER
UNITED STATES OF AMERICA,)
Respondent.)

THIS MATTER is before the Court on the Petitioner's motion to alter,
amend or otherwise for reconsideration of the dismissal entered herein on
November 15, 2006.

On review of the Petitioner's motion, the Court finds the arguments
set forth therein to be without merit.

IT IS, THEREFORE, ORDERED that the Petitioner's motion to alter,
amend or otherwise for reconsideration of the dismissal of this action is
hereby **DENIED**.

Signed: December 12, 2006



Lacy H. Thornburg
United States District Judge